

**Lamar County Board of Commissioners
Regular Business Meeting
February 19th, 2019**

Present for the meeting were Chairman Glass, Vice-Chairman Traylor, Commissioner Horton, Commissioner Heiney, Commissioner Thrash, County Administrator Zellner, County Clerk Davidson and County Attorney Mayfield.

I. Call to Order

Chairman Glass called the meeting to order at approximately 7:00 p.m.

II. Pledge of Allegiance and Invocation

Everyone said the pledge of Allegiance. Pastor Garth Forester from the First Baptist Church of Barnesville gave the invocation.

III. Recess for Public Hearing

Building and Zoning Director Gunter stated that the reading of rezoning application 2018-07 was a continuation of the last Public Hearing where this was heard and tabled because the Planning and Zoning Commission had not had a chance to see all of the information. The Planning and Zoning Commission has now heard that and has recommended unanimous approval for the rezoning with comments that septic systems are no longer required because sewer systems are provided by the City of Milner. Building and Zoning Gunter stated that the City of Milner is anxious to utilize this system because it will not only improve the potential rezoned property in this application but also the surrounding properties. The Planning and Zoning Commission makes a strong recommendation that the density be limited to 3.5 acres and that landscape buffers be planted around the Russell Property and Liberty Hill Road. Building and Zoning Director Gunter stated that he had to explain to the Planning and Zoning Commission board that the Lamar County code authorizes 6 units per acre in a Planned Residential (PR) zoned area. This recommendation will only apply to 6 acres that are under consideration for rezoning. The 12 acres that are currently PR zoned are under the current code which is 6 units per acre. Building and Zoning Director Gunter stated that the recommendation of the Planning and Zoning Commission is to strongly approve. There being no Public Hearing comments, Commissioner Heiney made a motion to adjourn the Public Hearing and Commissioner Thrash seconded the motion. The motion passed unanimously.

IV. Agenda Approval

Commissioner Heiney made a motion to approve the agenda and Vice-Chairman Traylor seconded the motion. The motion passed unanimously.

V. Minutes Approval

Vice-Chairman Traylor made a motion to approve the following four sets of minutes and Commissioner Horton seconded the motion. The motion passed unanimously.

1. Planning Session-January 4th, 2019
2. Planning Session-January 11th, 2019
3. Public Hearing-January 15th, 2019
4. Regular Business Meeting-January 15th, 2019

VI. Proclamation-Black History Month

Vice-Chairman Traylor read the Proclamation for Black History Month in recognition of African Americans past and present in Lamar County. The Lamar County Board of Commissioners proclaimed February, 2019 to be Black History Month encouraging all Lamar County citizens to celebrate this observance and to recognize the importance of Black History in our lives. The Proclamation was then presented to Mr. Richard Miller.

VII. Ordinance 2018-09-Rezoning Application 2018-07 Zotti Investments

Building and Zoning Director Gunter read Ordinance 2018-09 regarding rezoning application 2018-07 which states that Zotti Investments, Inc. has applied for rezoning of approximately 6 acres from A-R (Agricultural- Residential) to P-R (Planned Residential) to allow for the expansion of an existing Manufactured Home Park. The property is located on Liberty Hill Road, Milner, Ga. in Land Lot 33 of the 7th Land District, as shown on Tax Map 032 Parcel 001; and recorded in Deed Book 937, Page 294. Building and Zoning Director Gunter stated that the Public Hearing was held and that signs were erected on the property and the public had an opportunity for their comments to be heard. After hearing all matters and evidence presented at the Public Hearing and after considering all factors involving the rezoning of this real property, the Board of Commissioners of Lamar County, Georgia determined that the property should be rezoned to Planned Residential (PR) with a condition of a privacy fence placed between the out property and the Manufactured Home Park. Commissioner Thrash stated that she had had lengthy discussions with Mr. Waldrop about the boards expectations and she said that her main goal was to get the Manufactured Home park cleaned up. Commissioner Thrash said that there are no restrictions and that Mr. Waldrop is putting up a privacy fence between his property and the Russell property. Commissioner Thrash stated that she wants that condition to be in the Ordinance. Commissioner Thrash made a motion to approve Ordinance 2018-09 with the condition of a privacy fence placed between the Russell Property and the Manufactured Home Park. Commissioner Heiney wanted to know if this includes the 3.5 density per acre. Commissioner Thrash responded that it does not because it

is a 6-unit density per acre. Commissioner Thrash stated that in order for this to work financially for Mr. Waldrop, it will need to be a 6-unit density per acre. Commissioner Thrash said that the board asked him to do the Phase I environmental study and it came back with nothing and it was okay. Commissioner Thrash said that in order for him to do the things that he wants to do, he can't have that restriction in order for him to have the capital he needs. Commissioner Thrash stated that when he finishes with this side of the Manufactured Home Park then he will start on the other side of the manufactured home park. Commissioner Thrash stated that Mr. Waldrop is clear on her vision that they want that Manufactured Home Park cleaned up. Commissioner Heiney inquired about the privacy fence and Commissioner Thrash responded that there would be a fence between Ms. Russell's property and the Manufactured Home Park so that she doesn't have to see it which is what she requested. Commissioner Horton asked if this was for 6 units per acre or 3.5 units per acre and Commissioner Thrash responded that this would be up to 6 acres which is what the zoning allows. Commissioner Horton pointed out that the Planning and Zoning Commission board recommended that it be limited to 3.5 acres. Commissioner Thrash stated that in order for this to work for Mr. Waldrop, and in order for him to have the capital he needs to do the project the way he wants to, it will need to be for 6 acres. Commissioner Thrash said that she wants to see this place cleaned up and the alternative is that it stays like it is. She said that Mr. Waldrop wants to invest in this and he wants to make improvements and she doesn't want to put these restrictions on him. Commissioner Heiney asked if they going to be consistent with maintaining 6 units in any mobile home park. County Administrator Zellner replied that this is in the Lamar County code book. Vice-Chairman Traylor asked if they are looking to modify the code or to maintain it at the 6 units. Commissioner Thrash stated that they should have the opportunity to look at each situation and then make that decision. Building and Zoning Director Gunter stated that the Lamar County code specifies a minimum lot size of 5000 sq. ft. and you can have up to eight manufactured homes per acre. The Lamar County code restricts it to 6 per acres and you can make stipulations on any particular one and for whatever reason even if you make it less than that. He said that the 12 acres that currently exists are already grandfathered in which is under the 6 acres requirement and you can't change that. Building and Zoning Director Gunter stated that as long as they stay under 5000 sq. ft. and no more than 6 units then there is room for growth. Commissioner Thrash made a motion to approve Ordinance 2018-09 with the condition of a privacy fence between the Zotti property and the Russell property. Commissioner Heiney seconded the motion. The motion passed unanimously.

VIII. Caterpillar, Inc. Model 926M QC Wheeled Loader

Vice-Chairman Traylor made a motion to approve the purchase of a 2018 Caterpillar, Inc. Model 926M QC Wheel Loader with a sell price of \$158,895.00 minus a trade in allowance of \$26,000.00 for the 2005 Caterpillar, Inc. 924G Wheel Loader. The total price as quoted will be \$132,895.00 and will come from SPLOST funds designated for equipment. Commissioner Thrash seconded the motion. The motion passed unanimously.

IX. Resolution 2019-02-SB371 Furnishing of sales and use tax information to municipalities and counties; change provisions

Chairman Glass stated that SB371 authorizes the Commissioner of the Georgia Department of Revenue to provide certain confidential sales tax information to the “designated finance officer or taxing official” of counties and other local governments. Chairman Glass stated that this person would be able to work directly with the Department of Revenue. The board agreed to appoint Finance Director Townsend as the liaison and he will be the only one who can access this information. He will work with the Department of Revenue to gain insight on sales tax results for Lamar County. Chairman Glass said that he may be able to get some additional information on sales tax collections that might be coming down. He will be bound by the requirements of the Department of Revenue employees and will maintain confidentiality when seeking information. Commissioner Horton made a motion to approve Resolution 2019-02 SB371 appointing Financial Director Townsend as the liaison for Lamar County and Commissioner Heiney seconded the motion. The motion passed unanimously

X. Sick Leave Policy

County Administrator Zellner explained that this modification to the sick leave policy will take care of employees who are abusing the sick leave policy. If the Department Head has a reason to believe that an employee is abusing their sick time, they will then be able to place the employee on a six-month probation for sick leave assessment and require the employee to furnish a physician’s certificate for the period of absence regarding the provision. While the employee is on probation the employee will not be eligible for any type of promotions or increases in pay. Commissioner Thrash inquired about requiring the Department Head to place a write up finding in their file. Chairman Glass and County Administrator Zellner stated that there is an evaluation form attached to the policy. County Administrator Zellner stated that when the Department Head counsels the employee, the employee will have to sign the form. Commissioner Thrash made a motion to approve the modification to the sick leave policy. Vice-Chairman Traylor seconded the motion. The motion passed unanimously.

XI. Surplus Equipment

County Administrator Zellner reported that he had a list of surplus equipment and vehicles (attached to the minutes) for the board to approve. Commissioner Thrash made a motion to approve the surplus equipment and vehicles as presented and Vice-Chairman Traylor seconded the motion. The motion passed unanimously.

XII. Administrator’s Report

County Administrator Zellner stated that they did get a notification from the engineers that the Georgia Department of Transportation (GDOT) has cancelled the permit for the entrance to the Liberty Hill Park and the engineers have re-designed the entrance because of the extra money that the County is receiving from GDOT to include the turn lane and also the decel lane. Once they get that submitted to GDOT they will re-issue the County a new permit.

County Administrator Zellner stated that he would also be getting with the engineers on the bid package for the Request for Proposal (RFP) to construct the entrance.

XIII. Public Comments

Rick Viars of 107 High Falls Park Road, Milner, Georgia addressed the board with his concerns about the holding pond that is across the street from his property also known as Liberty Park which is a part of the Recreation Department. Mr. Viars requested that the board move the retention pond because he said that the water is running down the hill and draining into his pond. He requested that the County put grass and hay on the disturbed dirt (about 2 acres) around the pond because he said the mud is getting into his pond. Mr. Viars inquired about other counties leasing their equipment. He said that they come out and change the oil and they fix the parts. Mr. Viars said that the equipment is under warranty and once the lease is up, they take the equipment back or you can have the option to buy them. He said that this is the way Monroe County does this. County Administrator Zellner stated that they discontinued this program with motor graders.

XIV. Round Table.

Vice-Chairman Traylor invited everyone to attend the Community Awards at the Farley Plantation. He also commended the girls High School Basketball team and stated that they would be playing on Thursday at 6:00 p.m. He said that this is the second round of the State Championship game.

XV. Adjournment

Commissioner Horton made a motion to adjourn the Regular Business meeting at 7:50 p.m. and Commissioner Thrash seconded the motion. The motion passed unanimously.

THE LAMAR COUNTY BOARD OF COMMISSIONERS

Charles Glass, Chairman

Ryran Traylor, Vice-Chairman

Bennie Horton, Commissioner

Robert Heiney, Commissioner

Nancy Thrash, Commissioner

Attest: _____ Carlette Davidson, County Clerk